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19 JUL 2006

Kilpatrick Stockton LLP
1100 Peachtree Street, Suite 2800
Atlanta, Georgia 30309

In re Application of :
FORREST et al. :
U.S. Application No. 10/581,622 : DECISION ON PETITION
PCT No.: PCT/US04/40629 :
It. Filing Date: 06 December 2004 :
Priority Date: 05 December 2003 :
Attorney Docket No.: 52993/326894 :
For: FREE-STANDING SILICON CARBIDE
ARTICLES FORMED BY CHEMICAL
VAPOR DEPOSITION AND METHODS
FOR THEIR MANUFACTURE

This decision is issued in response to applicants' "Petition under 37 CFR 1.47(a)" filed 13 July 2006 to accept the application without the signature of joint-inventor, David Thomas Forrest.

BACKGROUND

On 06 December 2004, applicants filed international application PCT/US02/40629, which claimed priority of an earlier application filed 05 December 2003. Pursuant to 37 CFR 1.495, the deadline for payment of the basic national fee in the United States was to expire 30 months from the priority date, 06 June 2006.

On 05 June 2006, applicants filed a transmittal letter for entry into the national stage in the United States, which accompanied by, inter alia: the requisite basic national fee as required by 35 U.S.C. 371(c)(1); a copy of the international application; a preliminary amendment; and a petition under 37 CFR 1.47(a). In a decision dated 30 June 2006, applicants' petition under 37 CFR 1.47(a) was dismissed without prejudice.

On 13 July 2006, applicants filed the present renewed petition under 37 CFR 1.47(a).

DISCUSSION

A petition under 37 CFR 1.47(a) must be accompanied by (1) the fee under 37 CFR 1.17(h), (2) factual proof that the missing joint inventor refuses to execute the application or cannot be reached after diligent effort, (3) a statement of the last known address of the missing inventor, and (4) an oath or declaration by each 37 CFR 1.47(a) applicant on his or her own behalf and behalf of the non-signing joint inventor.

A review of the papers filed 05 June 2006 and 13 July 2006 reveals that petitioner has paid the requisite petition fee, provided sufficient proof that the non-signing inventor (David Thomas Forrest) refused to sign, stated the last known address of the non-signing inventor (David Thomas Forrest), and provided an acceptable declaration. Accordingly, all of the requirements of items (1), (2), (3), and (4) above have been satisfied.

CONCLUSION

For the reasons above, applicants' petition under 37 CFR 1.47(a) is **GRANTED**.

The application has an international filing date of 06 December 2004 under 35 U.S.C. 363, and will be given a date of 05 June 2006 under 35 U.S.C. 371(c)(1), (c)(2) and (c)(4).

As provided in 37 CFR 1.47(a), a notice of the filing of this application will be forwarded to the non-signing inventor at his last known address of record.

A notice of the filing of the application under 37 CFR 1.47(a) will be published in the Official Gazette.


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VAPOR DEPOSITION AND METHODS FOR THEIR MANUFACTURE

Dear David Thomas Forrest:

You are named as an inventor in the above identified United States patent application, filed under the provisions of 37 CFR 1.47(a) and 35 U.S.C. 116. Should a patent be granted, you will be designated as an inventor.

As a named inventor, you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or to make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent agent or attorney presenting written authorization from you. If you care to join in the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

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